

AN ORDINANCE LIMITING THE USE OF SUCCESSOR PROVISIONS, OR SIMILAR LIMITATIONS, IN COLLECTIVE BARGAINING AGREEMENTS AND DECLARING EMPLOYEES OF THE CITY'S COMMUNICATIONS DEPARTMENT "CONFIDENTIAL EMPLOYEES."

WHEREAS, certain economies and efficiencies of scale can be recognized through the operation of a joint communications department between the City of Fort Wayne and the County of Allen; and

WHEREAS, the employees of the current City Communications Department are unionized and the employees of the current County Communications Department are not unionized; and

WHEREAS, "successor" language, or contracting out limitations, in any collective bargaining agreement between the City and any union representing the employees of the Communication Department would be an impediment to the creation of a joint Allen County Communications Department or District; and

WHEREAS, considerable savings to the taxpayers of the City of Fort Wayne could be recognized through the use of a joint Communications Department; and

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

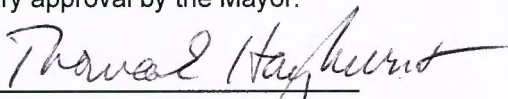
SECTION 1. Employees of the City of Fort Wayne Communications Department are declared "Confidential employees" pursuant to City Code Sections 40.01 through 40.12.

SECTION 2. City Code Section 40.01 is hereby amended by adding a new subsection (B)(1)(f) to read as follows:


"(f.) Who works in the City's Communications Department."

1 **SECTION 3.** No union contract presented to Council for approval after the effective
2 date of this provision shall contain a provision that prevents the City from participating in a non-
3 union multiple political subdivision communications department or county public safety
4 communications systems and computer facilities district, that requires the terms of the union
5 contract to apply to the operation of, and the City's participation in, a multiple political
6 subdivision communications department or county public safety communications system and
7 computer facilities district, or that requires the City to provide employment for individuals
8 whose jobs may be eliminated as the result of the City's participation in a joint communications
9 department or a county public safety communications system and computer facilities district.

10 **SECTION 4.** That this Ordinance shall be in full force and effect from and after its
11 passage and any and all necessary approval by the Mayor.

12 
13 Council Member

14 APPROVED AS TO FORM AND LEGALITY

15 
16 J. Timothy McCaulay, City Attorney

Read the first time in full and on motion by Hayhurst,
and duly adopted, read the second time by title and referred to the
Committee on Regulations (and the City Plan Commission
for recommendation) and Public Hearing to be held after due legal notice, at
the Common Council Council Conference Room 128, City-County Building, Fort
Wayne,, Indiana, on _____, 19____, the _____ day of _____
_____, M., E.S.T.

DATED: 9-17-96

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Hayhurst,
and duly adopted, placed on its passage. PASSED POST
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT:
TOTAL VOTES	<u>6</u>	<u>2</u>		<u>1</u>
BENDER	<u>✓</u>			
CRAWFORD	<u>✓</u>			
EDMONDS				<u>✓</u>
HALL	<u>✓</u>			
HAYHURST	<u>✓</u>			
HENRY		<u>✓</u>		
LUNSEY		<u>✓</u>		
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			

DATED: 9-24-96

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) _____ (APPROPRIATION) _____ (GENERAL) _____

(SPECIAL) _____ (ZONING) _____ ORDINANCE _____ RESOLUTION NO. 2-22-96
on the 24th day of September, 1996

ATTEST:

Sandra E. Kennedy (SEAL)
SANDRA E. KENNEDY, CITY CLERK DD Schmidt
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 25th day of September, 1996,
at the hour of 2:45 o'clock P., M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 30th day of September,
1996, at the hour of 11:00 o'clock P. M., E.S.T.

PAUL HERMKE
PAUL HERMKE, MAYOR

BILL NO. G-96-09-17

REPORT OF THE COMMITTEE ON
REGULATIONS
REBECCA J. RAVINE - THOMAS E. HAYHURST - CO-CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) limiting the use of successor provisions, or similar limitations, in collective bargaining agreements and declaring employees of the City's Communications Department "Confidential Employees."

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Thomas E. Hayhurst

Rebecca J. Ravine

Michael Hall

D. J. Smith

John W. C. Smith

Robert A. Smith

Robert A. Smith

Robert A. Smith

Robert A. Smith

Thomas E. Hayhurst

Rebecca J. Ravine

Michael Hall

D. J. Smith

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Rebecca J. Ravine

Michael Hall

D. J. Smith

John W. C. Smith

Robert A. Smith

Robert A. Smith

Robert A. Smith

Robert A. Smith

DATED: 9-24-96

Sandra E. Kennedy
City Clerk